

B/N Anthony Abrahams

# Abrahams strikes gold

...in legal battle

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**T**he eleven week long libel suit against the *Gleaner* company ended yesterday, after the seven-member jury awarded former tourism minister Anthony Abrahams a whopping \$80.7 million in damages.

After the award was handed down, leading counsel for the defendant, Emil George Q C, said the award was "outrageous" and appealed to the judge for a two or three week stay for the payment of the judgement sum. However, Justice Smith refused the application. It is understood that the defendants have the option of applying to the Court of Appeal for a stay.

Mr Abrahams sued *The Gleaner* and its former editor, Dr Dudley Stokes for libel, after *The Star* and *Gleaner* newspapers published two news stories on September 17 and 18 1987, alleging that Mr Abrahams had accepted kickbacks while he was Jamaica's minister of tourism. These kickbacks, the stories said, came from the US-based Young and Rubican public relations and advertising firms which were awarded lucrative contracts from the Jamaica Tourist Board.

Evidence led by the plaintiff said the libel was deliberate and aimed at settling a vendetta between Oliver Clarke, managing editor of *The Gleaner* and Abrahams. Mr Abrahams who broke down in court, told how his life went into a tail spin after the stories were printed, affecting his business and health.

However the defence disputed this, saying the story originated from a transmission from the Associated Press in the United States and not with *The Gleaner*. One of *The Gleaner's* witnesses,

a sub-editor, said she saw the story on the wire, thought it was an interesting piece and placed it on page seven of *The Star*.

However the plaintiff's attorney, Winston Spaulding, pushed Abrahams' case saying *The Gleaner* continued to maintain that Abrahams was guilty even after the US grand jury threw out an indictment against Abrahams. He said it was only when the Court of Appeal asked for evidence, it was discovered that the defendants had no basis on which to maintain their allegation against the plaintiff.

The \$80 million award only covered compensatory damages and not punitive damages which were left open to the jury. Presiding judge, Mr Justice Smith, instructed the jury that should the compensatory award be so large as to be punitive they would not need to award a separate sum for punitive damages.

Last week Mr George told the jury that Mr Abrahams should not be awarded more than \$60,000 for the libel award. However when the jury returned from their one and a half hour deliberation, the foreman said after a careful deliberations they had decided on the figure of \$80.7 million. Mr Abrahams said he was satisfied with the award.

Last year, chartered accountant, Leymon Strachan, was awarded \$23 million against *The Gleaner*. However that award is now in question as an application to produce fresh evidence is before the court.